

ISSUES FOR DECISION

SEABEDS

NSC MEETING

April 30, 1969

I. Is a treaty in the U.S. interest?

The basic decision that you have to make is whether or not a Seabeds Arms Control Treaty is in the net interest of the United States. The U.S. has no current plans to deploy nuclear weapons on the seabed. Nevertheless, the Joint Chiefs of Staff believe that we should not foreclose the future option particularly since the technical possibilities are not yet fully understood. The Joint Chiefs also point out that there are certain possible, although admittedly unlikely, applications by the Soviets which would be undetectable.

The basic argument on the other side put forward by ACDA and State is that a treaty would prevent the spread of nuclear weapons to a new environment. ACDA points to an agreed Intelligence Estimate (at the Tab marked Intelligence Estimate) which, on the whole, concludes that we would detect any significant violations. ACDA also points out that putting forward a U.S. draft treaty would reduce international pressures for a more sweeping agreement.

Recommendation

You will probably want to test the depth of the DOD opposition by hearing from Mel Laird and General Wheeler at the NSC meeting. Subject to that discussion, my feeling is that, on balance, the case for proceeding is more persuasive.

II. Text of the Treaty

There is agreement that if we are going to seek a treaty we should put forward a U.S. text as soon as possible. There is also agreement on the text except for four issues. None of them are very major and they are all quite technical, but they do require a decision on your part should you decide to proceed since there are deep splits within the government. These issues are:

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(1) Whether to ban all systems which use the ocean bottom, or only fixed systems. The JCS prefer the latter formulation since it would permit the deployment of systems which crawl along the ocean bottom. ACDA points out that in order to persuade the Soviets to drop their proposal for prohibiting non-nuclear operations, we will almost certainly have to agree to ban all nuclear deployments from the sea bottom.

Recommendation

Our basic objective is to ban fixed systems since mobile systems which use the sea bottom are not, in principle, very different from submarines. There is also some value in taking an opening position different from where we may be prepared to end up. I, therefore, recommend that our treaty draft ban only fixed installations but that, at the same time, you make it clear that you are prepared to consider at a later stage in the negotiations a recommendation to ban all nuclear systems.

(2) Should provision be made for international inspection?

International inspection, as proposed by the ACDA draft treaty, would permit a country to ask for the right to visit and, if necessary, dismantle an installation that it suspects may carry nuclear weapons. Such inspection would not deal with the fundamental difficulty of locating suspected installations, but it would enable us to remove uncertainties about whether an installation had a nuclear weapon. State/ACDA would prefer to ask for such inspection in part because the Russian draft calls for inspection of this kind and they point to the problems that we would have in appearing to be less forthcoming than the Soviets on inspection issues. Defense is concerned about giving the Soviets the right to inspect our installations on the sea bottom. They point out that we have many more such installations than do the Soviets. They propose not to include an inspection provision. Looking to the future, any agreement that comes out of SALT may not include formal inspection provisions. Therefore, reinforcing the precedent of the Limited Test Ban Treaty that agreements need not include formal inspection arrangements when they are not necessary could prove helpful. If the Soviets or others insist on this provision we can always include it later.

Recommendation

That we should not include a formal inspection provision.

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(3) Should the application of the treaty extend up to the coast of any State or only up to a band adjacent to the coast of that State? The issue here is whether a State should be permitted to deploy nuclear weapons on the seabed in the territory of allies. DOD would leave in this option as would the Russian draft. ACDA apparently does not feel strongly but State wanted to retain this option for NSC consideration. The argument for extending the ban up to the coast is that it would avoid the issue of stationing weapons in allied waters. The arguments against are that it would deny us the option of putting weapons in allied waters and it would complicate the inspection problem since weapons would be prohibited in territorial waters.

Recommendation

That the ban apply only up to a narrow band adjacent to the coast of other States.

(4) Should the width of the narrow band be 12 miles or 3 miles? Defense argues for 12 miles asserting that a 3-mile limit could jeopardize our efforts in another forum to accept a 12-mile limit in return for free passage through straits. State argues that a 12-mile limit would not adversely affect these negotiations. They point out that we have accepted 12 miles for other specific purposes.

Recommendation

That the band be 12 miles.

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